THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.26606 of 2005

Date:22.12.2005

S.J.M.Murali Krishna.

--------PETITIONER

Singareni Colieries Copany Limited. And others.

---------RESPONDENTS

ORDER:

The petitioner was awarded a contract of transporting coal from one place to the other by the Singareni Collieries Company Limited, the 1st respondent, on 02.07.2005. The contract is to be in force for a period of two years. This Writ Petition is filed challenging the action of the respondents in not permitting the petitioner to undertake transport of coal, on the basis of certain unverified allegations published in the news papers. The petitioner states that when his explanation was sought for, on the basis of the allegations, he explained the relevant facts, and that the Police, who had undertaken investigation into the matter, closed the same, duly observing that nothing objectionable was found.

Sri D.V.Sitharam Murthy, the learned counsel for the petitioner made extensive submissions, touching on the merits of the matter. However, he has fairly brought to the notice of this Court that after the Writ Petition was filed, the respondents served a show cause notice, dated 14.12.2005, on the petitioner and that the petitioner has also filed his explanation.

Sri D.Prakash Reddy, the learned Senior Counsel appearing for the respondents, on the other hand, submits that whatever may have been the justification for the Writ Petitioner in approaching this Court before the show

cause notice was issued, once the same was served upon the petitioner and he has chosen to submit his explanation, nothing remains to be decided in the Writ Petition.

The necessity for this Court to delve into the details or merits of the matter is obviated on account of a development, which has taken place subsequent to the filing of the Writ Petition. On 14.12.2005, the respondents served a show cause notice on the petitioner. While the petitioner asserts that an explanation has been submitted, the respondents state that it has not yet been received.

For the foregoing reasons, the Writ Petition is disposed of, leaving it open to the petitioner to submit his explanation to the 1st respondent, within a period of one (1) week from today, if not already submitted. Inasmuch as the petitioner is not being entrusted with the work of transporting the coal, the 1st respondent is directed to pass final orders in the matter, within a period of 15 days from the date of receipt of the explanation, taking into account the explanation of the petitioner. There shall be no order as to costs.

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22.12.2005

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